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* ADMITTED IN DC ONLY

February 7, 2019

Re: In re Foreign Exchange Benchmark Rates Antitrust
Litigation, No. 1:13-cv-07789 (LGS)

Dear Judge Schofield:

With the Plaintiffs' consent, we write on behalf of the Credit Suisse Defendants to request leave to file a short sur-reply on Plaintiffs' motion for class certification.

Last Thursday, January 31, Plaintiffs submitted a reply brief in support of their class certification motion which amends the OTC class definition and newly describes the injury and damages model that can be applied to the proposed Exchange Class. Credit Suisse has not previously had an opportunity to address these key issues.

By prior order of the Court (Dkt. 1113; Dkt. 1127), Credit Suisse is due to file a 25-page reply brief in support of its Daubert motion on February 21, 2019. We therefore respectfully request that the Court permit Credit Suisse to file a short sur-reply of up to 13 pages to respond to Plaintiffs' reply in support of class certification, and that both the Daubert reply and the sur-reply be due on March 7, 2019. Plaintiffs have consented to this request.

The Court previously granted the parties' request for an extension of the briefing schedule on the class certification motion and stated that no further extensions would be granted absent extraordinary circumstances. (Dkt. 1113.) We respectfully submit that the requested relief is both appropriate and necessary, as it would afford Credit Suisse an opportunity to address Plaintiffs' further amendment to the proposed OTC class definition, their expert rebuttal reports, and their new proposal for an Exchange Class injury and damages model.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. Washer', written over a horizontal line.

Herbert S. Washer

The Honorable Lorna G. Schofield
United States District Court
40 Foley Square
New York, New York 10007

BY ECF

cc: All Counsel (via ECF)